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FAX RECEIVED**JUL 24 2002****PETITIONS OFFICE**

**To: Office of Petitions
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**Facsimile: (703) 308-6916
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From: Karen B. Dow

Date: July 24, 2002

We are transmitting a total of **18** pages (including this page).
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Docket No.: 280502000200	Atty: Karen B. Dow
Serial No.: 09/936,887	Filing Date: September 11, 2001
Title: METHODS AND COMPOSITIONS FOR TREATING LEUKEMIA	
Date of Facsimile Transmission: July 24, 2002	

Papers enclosed herewith:

1. Fax Coversheet (1 page)
2. Transmittal (1 page)
3. Petition to Withdraw Holding of Abandonment (3 pages)
4. Copy of Notice of Abandonment (1 page)
5. Copy of Deposit Account Statement (2 pages)
6. Copy of Transmittal Letter dated April 30, 2002 (2 pages)
7. Copy of Petition for Extension of Time dated April 30, 2002 (1 page)
8. Copy of Declaration for Utility Patent Application as filed April 30, 2002 (4 pages)
9. Copy of Notification of Missing Requirements (2 pages)
10. Copy of Memo from Lackenbach Siegel Marzullo & Aronson, P.C. (1 page)

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE ON _____



PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐Approved for use through 10/31/02. OMB 0851-0031
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

18

Application Number

09/936,887

Filing Date

September 11, 2001

First Named Inventor

Chaim M. ROIFMAN

Group Art Unit

To be assigned

Examiner Name

To be assigned

Attorney Docket No.

250502000200

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PETITIONS OFFICE

ENCLOSURES (check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
(for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input checked="" type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Copy of Notice of Abandonment
Copy of Deposit Account Statement
Copy of 4/30/02 submission
Copy of Memo from Lackenbach et al.
Fax Coversheet |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/
Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Karen B. Dow Reg. No. 29,884 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500, San Diego, California 92130
Signature	<i>Karen Babyak Dow</i>
Date	July 24, 2002

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the Office of Petitions at (703) 308-6916 at the United States Patent and Trademark Office in Washington, D.C. on July 24, 2002.

Rebekah Werth



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/936,887		Chaim M Roifman	280502000200

Karen B. Dow
Morrison & Foerster
3811 Valley Center Drive
Suite 500
San Diego, CA 92130-2332

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PETITIONS OFFICE

CONFIRMATION NO. 2918

ABANDONMENT/TERMINATION
LETTER

OC000000008224082

Date Mailed: 06/03/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 11/01/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

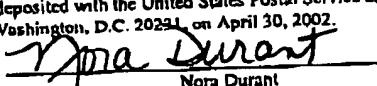
Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).


Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FORM PTO-1390 OFFICE (REV 11-2000)		U.S. DEPT. OF COMMERCE PATENT AND TRADEMARK	ATTORNEY'S DOCKET NUMBER 00200
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/936,887
INTERNATIONAL APPLICATION NO. PCT/CA00/00266	INTERNATIONAL FILING DATE March 13, 2000	PRIORITY DATE CLAIMED March 12, 1999	
TITLE OF INVENTION METHODS AND COMPOSITIONS FOR TREATING LEUKEMIA			
APPLICANT(S) FOR DO/EO/US Chaim M. ROIFMAN, et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11. to 16. below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Petition for Extension of Time, copy of Notification of Missing Requirements and return receipt postcard.			
CERTIFICATE OF MAILING BY "FIRST CLASS MAIL" I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, BOX PCT, Washington, D.C. 20291, on April 30, 2002.  Nora Durant			

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) *		INTERNATIONAL APPLICATION NO. PCT/CA00/00266		ATTORNEY'S DOCKET NUMBER: 280502000200	
21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provision of PCT Article 33(1)-(4)\$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$18.00	\$	
Independent claims	- 3 =	0	x \$80.00	\$	
			+ \$270.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)					
TOTAL OF ABOVE CALCULATIONS =				\$0	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =					
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$0	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$0	
				Amount to be refunded:	\$)
				charged:	\$)
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my <u>Deposit Account No. 03-1952</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to <u>Deposit Account No. 03-1952</u> referencing attorney docket number 280502000200. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Karen B. Dow Morrison & Foerster LLP 3811 Valley Centre Drive Suite 500 San Diego, California 92130-2332					
 SIGNATURE Karen B. Dow Registration No. (29,684)					

<input checked="" type="checkbox"/> <small>Continuation of Application, PCT, Filed for an Election to the United States Patent Office, International Application No. 09/936,887</small>		
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/936,887	Chaim M Roifman	280502000200

INTERNATIONAL APPLICATION NO.	
PCT/CA00/00266	
I.A. FILING DATE	PRIORITY DATE
03/13/2000	03/12/1999

Karen B. Dow
Morrison & Foerster
3811 Valley Center Drive
Suite 500
San Diego, CA 92130-2332

DOCKETED MISSING REQ DUE
REMINDER: 12/1/2001
DUE DATE: 1/1/2002
FINAL DUE DATE: 6/1/2002

CONFIRMATION NO. 2918
371 FORMALITIES LETTER
0000000007001153

Date Mailed: 11/01/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

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NOV 06 2001

MORRISON & FOERSTER
SAN DIEGO

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/936,887	PCT/CA00/00266	280502000200

To:

From:

*Celia Prosz*WITH COMPLIMENTS FROM
LAW OFFICES OF

LACKENBACH SIEGEL MARZULLO & ARONSON, P.C.
Penthouse Suite
ONE CHASE ROAD
Scarsdale, New York 10583
(914) 723-4300 (212) 619-9100

Memo:

*received in
error from
U. S. P. TO*

☒ URGENT☒ for your records☐ for your information☐ for your comments & return☐ for your approval and return☐ please handle☐ please telephone me☐ please sign and return☐ please acknowledge receipt

8703 308 6916

*** RX REPORT ***

RECEPTION OK

TX/RX NO	7237
CONNECTION TEL	858 720 5125
CONNECTION ID	
START TIME	07/24(WE)18:55
USAGE TIME	05'45"
PGS.	18
RESULT	OK